

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

House Engrossed
FILED
JANICE K. BREWER
SECRETARY OF STATE

HOUSE CONCURRENT MEMORIAL 2007

A CONCURRENT MEMORIAL

URGING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO PROVIDE ADEQUATE
SCHOOL FACILITIES ON TRIBAL LANDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Congress of the United States of America:

2 Your memorialist respectfully represents:

3 Whereas, to achieve true self-determination, Native American
4 governments, including the Hopi Tribe, must have the resources necessary to
5 provide a quality education to their children living on federally recognized
6 tribal lands so that those children have the same opportunity for learning as
7 nonreservation children; and

8 Whereas, it is vital to Indian education that the concepts of the No
9 Child Left Behind Act be implemented in a manner consistent with the social,
10 civic, economic, educational and cultural needs of American Indian tribes and
11 communities; and

12 Whereas, the Hopi Day School and the Hotevilla-Bacavi Community School
13 at Third Mesa, Arizona have been in existence collectively for over one
14 hundred and twenty-five years; and

15 Whereas, due to the age and poor physical condition of the Hopi Day
16 School and the Hotevilla-Bacavi Community School facilities, neither school
17 can provide an appropriate educational environment for its students. The
18 schools' deficiencies include classrooms that do not meet minimum space
19 requirements and that lack a reliable means of controlling the temperature
20 and air quality, interior walls painted with lead-based paint, numerous
21 cracks in the masonry walls making the structural integrity of the building
22 questionable and a lack of the standard amenities common to most schools.
23 Both school facilities have been described by two different Bureau of Indian
24 Affairs inspections as having exceeded their usefulness and functional life;
25 and

26 Whereas, the Hopi children living at Third Mesa who attend the Hopi Day
27 School and the Hotevilla-Bacavi Community School are at risk and suffer from
28 a significant educational disadvantage in comparison to their off-reservation
29 peers, and this situation will continue until the federal government replaces
30 the facilities at both schools; and

31 Whereas, in the face of the deplorable physical conditions of their
32 school facilities, the Hopi children attending these schools have
33 nevertheless excelled at their AIMS test (Arizona Instrument to Measure
34 Standards) and their Adequate Yearly Progress (AYP) assessments for the last
35 five years, despite the fact that only one-third of tribal schools nationwide
36 are attaining the AYP, thereby demonstrating their desire to achieve
37 educational excellence; and

38 Whereas, at a time when schools across the entire country are
39 diligently engaged in educational reforms to ensure that "no child is left
40 behind", the Hopi children living in the Third Mesa area are being left
41 behind by the very entity responsible for the reform movement, the federal
42 government; and

43 Whereas, the Hopi Tribe is the only tribe in Arizona that does not have
44 a gaming compact and, therefore, has no other financial resources with which
45 to improve the conditions of its schools; and

1 Whereas, the Hopi Tribe believes that a single school facility designed
2 and built to serve the combined student populations served by the Hopi Day
3 School and the Hotevilla-Bacavi Community School would be economically
4 advantageous and would allow the addition of specialized staff and programs
5 not available in the current separate school facilities, would reduce or
6 eliminate duplication of staff, services and bus routes required under the
7 two-school structure, would provide a proper learning environment for
8 delivery of the whole educational program for each child from preschool
9 through the eighth grade, would allow local control and would provide a
10 school facility that is designed and constructed to last for many years and
11 that can appropriately accommodate the growth of the local population; and

12 Whereas, the Bureau of Indian Education has recognized that combining
13 these two schools on the Hopi reservation would be a more meaningful,
14 appropriate and just solution to the problems caused by the current
15 dilapidated buildings; and

16 Whereas, the governing boards for the two schools formally agreed to
17 the concept of having a single school facility for the entire Third Mesa area
18 providing educational programs that include early childhood education through
19 the eighth grade; and

20 Whereas, the reservation-wide Hopi Board of Education adopted a
21 resolution supporting the single school concept and took formal action to
22 reserve a landsite for the new school; and

23 Whereas, the Village of Kykotsmovi Governing Board endorsed the single
24 school concept and took formal action to reserve a landsite for the new
25 school; and

26 Whereas, the Hopi Tribal Council adopted a resolution approving both
27 the single school concept and the landsite assignment.

28 Wherefore your memorialist, the House of Representatives of the State
29 of Arizona, the Senate concurring, prays:

30 1. That the United States Congress recognize that failure to maintain
31 adequate school facilities on Indian lands is a violation of the rights of
32 tribal governments and communities to exercise and assert equitable education
33 in their boundaries.

34 2. That the United States Congress provide a sufficient set-aside of
35 Bureau of Indian Education monies to ensure that one new school will replace
36 the two extremely old schools on the Third Mesa of the Hopi Reservation in
37 order to promote fair and quality education for the children of the Hopi
38 Indian Nation.

39 3. That the United States Congress promote and support adequate
40 funding of schools on American Indian Reservations.

41 4. That the Secretary of State of the State of Arizona transmit copies
42 of this Memorial to the President of the United States Senate, the Speaker of
43 the United States House of Representatives and each Member of Congress from
44 the State of Arizona.

~~PASSED BY THE HOUSE MARCH 12, 2008.~~

~~PASSED BY THE SENATE MAY 19, 2008.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 19, 2008.~~